

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

SHEIK FRANCIS SMITH-BEY,)
)
)
 Plaintiff,)
)
)
 vs.) 1:11-cv-1204-TWP-MJD
)
)
MARK DODD,)
)
)
 Defendant.)

Entry Discussing Selected Matters

I.

A.

Defendant Dodd **shall report by September 18, 2012**, whether the plaintiff has taken the steps available to him at the Pendleton Correctional Facility to regain possession of the religious items previously noted by following the procedures in the supplemental report filed on July 17, 2012.

B.

The plaintiff shall **report by September 21, 2012**, whether he has secured possession of the religious items previously noted by following the procedures in the supplemental report filed by the defendants on July 17, 2012.

II.

The plaintiff's motion for the appointment of counsel has been considered. Litigants requesting that counsel be recruited must show as a threshold matter that they made a reasonable attempt to secure private counsel. *Gil v. Reed*, 381 F.3d 649, 656 (7th Cir. 2004); *Zarnes v. Rhodes*, 64 F.3d 285, 288 (7th Cir. 1995). The court must deny "out of hand" a request for counsel made without a showing of such effort. *Farmer v. Haas*, 990 F.2d 319, 321 (7th Cir. 1993). The plaintiff's motion does not recite the necessary effort. Accordingly, the motion for the appointment of counsel (Dkt. 36) is **denied**.

III.

The parties shall have **through October 17, 2012**, in which to file any further dispositive motions.

IT IS SO ORDERED.

Date: 09/10/2012

Tanya Walton Pratt

Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

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All electronically Registered Counsel